

# REVIEW.

Tuesday, November 4. 1712.

**F**HE ensuing Peace, and the Interest of the Pretender is so blended together, so mix'd with all our Discourse, and our Notions of them so Interwoven one with another, that we think there is no danger of the Pretender, but what is to be found in the Consequences of the Peace.

My Opinion of these Things lying another Way, not being willing to shock with any of your Popular Notions, especially when I am putting you in mind of your real Dangers, I have forborn taking notice of the Folly of the one, that I may not prejudice you against the other.

I have advanc'd an Opinion, which I think may be supported by Reason, viz. That the chief Danger of the Pretender coming upon us, is not from the line of the War or the Peace: That it is long since, the Jacobite Party gave over the Hopes of Propagating their Interest by the War, that the Throne of Britain, tho' like a Town Besieg'd, is not to be taken by Artillery and Storm, but by Mining and Sapping, it may; That the Humour of our People being naturally wavering, the Jacobites ground their Hopes upon prevailing there, rather than upon any Thing of Force or Violence, War or Armies, whether French or others; That they are for that purpose very busie, and innumerable Emissaries among us, fomenting Strife and Animosity on one Hand, and insinuating the New Notions of the Pretender on the other Hand.

Well, says a sober Country Grazier of the Yeoman kind, in my hearing the other Day, to his Neighbour, I met with a Man at the Coffee House at our Market Town, that has been talking strange Things. Certainly we Country-People are very much imposed upon.

Why, what Things, says his Neighbour Yeoman, to whom he spoke, and so the Dialogue begins.

1st. *Yeoman*, Such Things, says the first, that I never thought much of; why, he says, the Pretender is not a Bastard.

2d. *Yeoman*, Not a Bastard! How can that be? Did not the Revolution say he was a Bastard?  
1st. *T. m.* Why, I always thought so, but he tells me it was never prov'd, which I wonder at.

2d. *T. m.* Troth I never enquir'd, but I thought they had prov'd it before the Parliament, I am sure the Prince of Orange's Declaration said, That it should be left to the Parliament.

1st. *T. m.* Why yes, I remember that too, and I know they made the Prince of Orange King, and I thought they had certainly prov'd, that the other was none of King James's Son.

2d. *T. m.* Why truly so did I, That very Thing made me conclude he was spurious, for how else could they make the other King?

1st. *T. m.* I don't know how it was, but I am sure they told me otherwise, and if I had thought it had not been so, I should never have own'd him for King.

2d. *T. m.* But how does he say it was then?

1st. *T. m.* If by, he says, it is true, they promised to prove it, but when he got himself to be King, he never troubled himself with it afterwards.

2d. *T. m.* That was not keeping Word with us, sure.

1st. *T. m.* Why truly that is what the Gentleman I speak of says — And he says further, That he is the real Lawful Son of King James, and that we ought to believe so, unless it could be prov'd to the contrary.

2d. *T. m.* Well, and what does he Argue from it?

1st. *T. m.* Nay, he speaks big Words, he says he ought to be our King, at least, that we ought not to refuse him after her Majesty, for that is all he pretends.

2d. *T. m.* So, then, he is not for having him King while her Majesty lives, is he?

1st. *T. m.* No, no, but he says, if he is the Son of King James, it is very hard we should forswear.

2d. *T. m.*

2d. Y. m. Nay, indeed, I have taken the Abjuration when I was made High Constable, but I never thought he was King *James's* Son.

1st. Y. m. Nor I neither, if I had thought he had been King *James's* Son, I would never have taken the Abjuration, for my part, let him come when he will, I'll not meddle to oppose him, for if it be his Right, why should I help to keep him out of it?

Now, Gentlemen, by this Dialogue, you see our Case, and tho' the very Form of the Dialogue is not indeed, a History Personally, yet the Fact is Historical, and I am an Ear Witness to it, not in one or two, but many places, where the People are thus posseſ'd, and where the Notion of Hereditary Right begins to revive in favour of the Pretender.

The Jingle with which they Charm the poor People, is so empty, that it seems to me much like drawing Bees to the Hive, by the tinkling of a Brass Kettle — A meer empty sound does it, a Hollow Unharmonious Sound of Words, noise, but empty, and without signification.

The Question, as I have often said, is plain, and I wonder our Swarms can be hiv'd by such an Unharmonious Kettle-Sound as this is.

The Youth was, *unhappily for him*, born, whether a Prince, or to pass for a Prince, is not at all to our purpose — The Circumstances of King *James*, or of Popery rather, were such at that Time, that a Son was thought absolutely Necessary; if the King had a real Son of his own begetting, the Juncture was so happy, that I do not wonder the extase of Satisfaction put them besides themselves so far, as to let them omit such demonstrations of it, as in their proper Seasons only might have been given, to the Confusion and Conviction of all Opposers: if the Queen had a real Son, whether of the King's Body, or no, such is the Law of Wedlock, that there had been no Room to question his Right of Possession on that Account, since Children born in Wedlock Inherit, without any Dispute lying against the Honesty of the Parents.

If neither this Son was of the King's begetting, or the Queen's bearing, yet since the Father and Mother were pleas'd to call him their own, they might well be allow'd to bestow on him all the Estate which was in their own Gift, and no body will grutch it him.

But where an Estate is in Tail, in default of Heir to another Family, or Branch, the Evidence of Birth of the Person Claiming as Heir, lies upon Parent, as the *onus probandi*, lies in the Person of the Possessor.

The Objection of the People of *England*, and so the Prince of *Orange*, against the Legitimacy of the Birth, was, that there were just Suspicions, referring them to the Judgment of a Parliament; now what meant this, but that if King *James* should desire to have those Suspicions remov'd, and give the People Satisfaction, that this Person was his Law Son; the Prince was content to referr it to a Free Parliament.

This he refus'd to do, by flying away, and carrying with him the Person in question, never suffer this matter to be brought to Tryal: To say it lay the P. of O. to bring it on, when nothing could pretend to be done by him, but to lay a charged Suspicion, and none there to defend it; this has been nonsense in the Law, the Person that is charged can never be proceeded against absent, but by the Law, and this they did, for they Voted him Absented, and this was one of the Reasons given, viz. His Refusing to be present with his People, in a Free Parliament.

The Suspicions of the Birth of his Son, were naturally taken, *pro confesso*, by the same Rule, for it should have been brought before a Parliament, King *James* should have staid to have made out the Legitimacy of his Birth; if he had so staid, it had certainly been brought before them; and the only Reason why it was not Examin'd, why the Suspicions were offer'd to the Parliament, was, because King *James* run away, and declin'd the Parliament's taking Cognizance of it: Thus the Reason, why the Legitimacy or the Bastardy of the Pretender was not produced in Parliament, was in King *James*, not in the Prince of *Orange*, and it was no injury to him, for the whole Nation, to question the Legitimacy, while the other declin'd to stand the Test of it.

I think this may satisfie the two Yeomen, and serve for an Answer to this empty Cavil of the Jacobites.